

any counter-claims that were or could have been filed by Defendants); and Defendants DEAN DAVENPORT, Individually, 5 D DRILLING AND PUMP SERVICE, INC. F/K/A DAVENPORT DRILLING & PUMP SERVICE, INC., and DAVID JONES D/B/A J&B FARMS OF TEXAS.

2. On or about April 12, 2018, Plaintiff filed this action.

4. Plaintiff BITCO General and Defendants Davenport, 5D Drilling, and Jones, move to dismiss the suit with prejudice as to each other only.

5. Plaintiff BITCO General agrees to the dismissal with prejudice as to Defendants Davenport, 5D Drilling, and Jones.

6. Davenport filed an Answer and agrees to the dismissal with prejudice.

7. 5D Drilling filed an Answer and agrees to the dismissal with prejudice.

8. Jones filed an Answer and agrees to the dismissal with prejudice.

9. Defendant MGIC filed an Answer but is not a party to any settlement with Plaintiff BITCO General or Defendants at this time.

10. This case is not a class action.

11. A receiver has not been appointed in this action.

12. This case is not governed by any federal statute that requires an order of the court for dismissal of the case.

13. Plaintiff and Defendants Davenport, 5D Drilling, and Jones have not dismissed an action based on or including the same claims as those presented in this suit.

14. Plaintiff and Defendants Davenport, 5D Drilling, and Jones have reached an agreement and Plaintiff has agreed to dismiss all claims against Defendants Davenport, 5D Drilling, and Jones from this action pursuant to that agreement. Plaintiff and Defendants

Davenport, 5D Drilling, and Jones file this Stipulation of Dismissal to dismiss Defendants Davenport, 5D Drilling, and Jones with prejudice.

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CERTIFICATE OF SERVICE

I hereby certify that on the 9th day of October, 2018, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Via CM/ECF

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